

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88302 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- MAHILA P.S. District- Lakhisarai

Shambhu Kumar son of Bhuneshwar Ram Village - Mahadeb Nagar, P.S.-
Adarsh Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Kumari Wife of Shambhu Kumar Resident of village- Jay Nagar,
Bari Kabaiya, ward no. 32, Ps- kabaiya, Dist- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the O.P. No.2	:	Mr. Binay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner, Mr. Jitendra Kumar, learned A.P.P. for the State and

Mr. Binay Kumar, learned counsel for the opposite party no. 2.

2. The petitioner is apprehending his arrest in
connection with Lakhisarai Mahila P.S. Case No. 19 of 2025,
F.I.R. dated 24.03.2025 for the offences punishable under
Sections 85/352/3(5) of the B.N.S. and u/s 3/4 of the Dowry
Prohibition Act.

3. According to prosecution case, the petitioner and
the co-accused persons are alleged to have tortured the
informant mentally and physically due to non-fulfillment of
demand of Rs. 5,00,000/- as dowry.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R., it appears that date of occurrence as alleged in the F.I.R. is 02.01.2025 but the F.I.R. was lodged on 24.03.2025. He further submits that the marriage was solemnized on 05.12.2019 and as per allegation in the F.I.R., petitioner has demanded dowry after ten day of marriage but the present F.I.R. was instituted on 24.03.2025 after more than five and half years. Apart from the aforesaid, petitioner is ready to keep the opposite party no. 2 as wife with full honour and dignity and he is ready to bring back the opposite party no.2 within a period of ten days.

5. Learned counsel for the opposite party no. 2 submits that the opposite party no. 2 is ready to live with the petitioner.

6. Learned Additional Public Prosecutor has opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case also petitioner has clean antecedent, let the



petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 19 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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